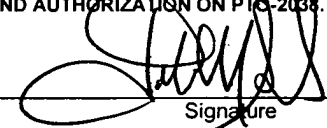




PTO/SB/31 (01-08)

Approved for use through 03/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| NOTICE OF APPEAL FROM THE EXAMINER TO<br>THE BOARD OF PATENT APPEALS AND INTERFERENCES  |  | Docket Number (Optional)<br>59563(71699)  |
|---|--|---|
| In re Application of<br>Ronald Rodriguez et al.   |  |   |
| Application Number<br>10/523,498-Conf. #3398  |  | Filed<br>February 4, 2005   |
| For PEPTIDES FOR TARGETING THE PROSTATE SPECIFIC<br>MEMBRANE ANTIGEN  |  |   |
| Art Unit<br>1654  |  | Examiner<br>S. R. Gudibande   |
| Applicant hereby <b>appeals</b> to the Board of Patent Appeals and Interferences from the last decision of the examiner.  |  |   |
| The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))   |  | \$ 510.00   |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:   |  | \$ 255.00   |
| <input type="checkbox"/> A check in the amount of the fee is enclosed.  |  |   |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.   |  |   |
| <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.  |  |   |
| <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>04-1105</u> . I have enclosed a duplicate copy of this sheet. |  |   |
| <input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.   |  |   |
| WARNING: INFORMATION ON THIS FORM MAY BECOME PUBLIC. CREDIT CARD INFORMATION SHOULD NOT BE INCLUDED ON THIS FORM. PROVIDE CREDIT CARD INFORMATION AND AUTHORIZATION ON PTO-2038.  |  |   |
| I am the  |  |   |
| <input type="checkbox"/> applicant /inventor.   |  |   |
| <input type="checkbox"/> assignee of record of the entire interest.<br>See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)  |  |   |
| <input checked="" type="checkbox"/> attorney or agent of record.<br>Registration number <u>53,624</u>   |  |   |
| <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34.<br>Registration number if acting under 37 CFR 1.34. _____  |  |   |
|   |  | <br>Signature |
|   |  | Jonathan M. Sparks, Ph.D.<br>Typed or printed name  |
|   |  | (617) 517-5543<br>Telephone number  |
|   |  | April 25, 2008<br>Date  |
| NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.                            |  |   |
| <input type="checkbox"/> *Total of <u>1</u> forms are submitted.  |  |   |

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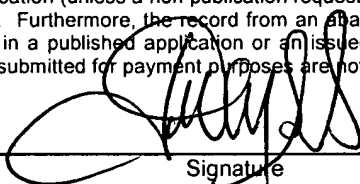
## 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

  
 \_\_\_\_\_  
 Signature

\_\_\_\_\_  
 April 25, 2008

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Jonathan M. Sparks, Ph.D.  
 \_\_\_\_\_  
 Typed or printed name

\_\_\_\_\_  
 53,624

\_\_\_\_\_  
 Registration Number, if applicable

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\_\_\_\_\_  
 Telephone Number

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_